

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRINYAH GODIAH NMIAA PAYNES EL-
BEY,

Plaintiff,

-against-

CUBESMART SELF STORAGE,
CUBESMART STORE 0558, and
CUBESMART CORP.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/22/2022

1:20-cv-00521-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

On February 16, 2022, the Court scheduled a remote status conference in this matter for February 22, 2022. Dkt. No. 101. On February 22, 2022, the Court, defense counsel, and the court reporter all appeared by phone at the scheduled time and waited for Ms. El Bey to appear. After she failed to do so, the Court adjourned the conference at approximately 3:10 p.m.

The Court will hold a status conference on **March 1, 2022 at 2:00 p.m.** The conference will take place by telephone. The parties are directed to the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for the dial-in number and other relevant instructions. The parties should call into the Court's dedicated conference line at (888) 557-8511, and enter Access Code 747-0200, followed by the pound (#) key. The parties are also directed to comply with Rule 2(C) of the Court's Emergency Rules.

The Court reminds Ms. El Bey that she must comply with the Court's orders. The Clerk of Court mailed the Court's order scheduling the February 22, 2022 conference to Ms. El Bey's New York and Florida addresses. If Ms. El Bey continues to fail to comply with the Court's orders, the Court expects to dismiss this case under Federal Rule of Civil Procedure 41(b). Rule 41(b) provides, in relevant part, that "[i]f the plaintiff fails to prosecute or to comply with these rules or a court

order, a defendant may move to dismiss the action or any claim against it.” Fed. R. Civ. P. 41(b).


“Although the text of Fed. R. Civ. P. 41(b) expressly addresses only the case in which a defendant moves for dismissal of an action, it is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff’s case sua sponte for failure to prosecute.” *LeSane v. Hall’s Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

Defendant is directed to serve a copy of this Order on Plaintiff by email.

The Clerk of Court is directed to mail a copy of this order by first class mail to Plaintiff’s New York and Florida addresses.

SO ORDERED.

Dated: February 22, 2022



GREGORY H. WOODS
United States District Judge